

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

STANLEY E. KEATHLEY,

Nos. C 06-04616, 06-05471 SI

Plaintiff,

v.

**ORDER DISMISSING COMPLAINT
WITH PREJUDICE AND DENYING IN
FORMA PAUPERIS APPLICATION**

HIGHWAY PATROL, et al.,

Defendants.

On July 28, 2006, plaintiff filed a complaint and a request to proceed in forma pauperis in this Court (Case No. 06-04616). On September 6, 2006, plaintiff filed a second complaint and request to proceed in forma pauperis (Case No. 06-05471). On September 25, 2006, the Court held a telephone conference with plaintiff, in an attempt to clarify the nature of his claims in both cases. Having failed to do so, the Court dismissed plaintiff's complaints, and consolidated his two cases. The Court instructed plaintiff as to the pleading standards for a claim under 42 U.S.C. § 1983, and advised plaintiff to make sure to illustrate how the facts support each claim. The Court ordered plaintiff to file his amended complaint, if any, on or before November 17, 2006, and instructed that no further amendments would be allowed.


Plaintiff has subsequently filed – on November 7, 9, and 15, 2006 – three packets of miscellaneous materials with the Court. The Court construes these submissions as an attempt by plaintiff to amend his complaints and clarify the nature of his claims. Under Federal Rule of Civil Procedure 8, a complaint must include: 1) a short and plain statement of the court's jurisdiction, 2) a short and plain statement of the claim showing that the plaintiff is entitled to relief, and 3) a demand for judgment for the relief the plaintiff seeks. Plaintiff has not met the basic requirements of Rule 8 in any

1 of the papers he has filed with the Court, as the Court continues to be unable to understand the basis for
2 his claims. The September 25, 2006 phone call with plaintiff, and the papers recently submitted by
3 plaintiff, have only further obfuscated his claims. Accordingly, the Court DISMISSES plaintiff's
4 complaints for failure to comply with Rule 8. As previously advised, the Court will **not** grant plaintiff
5 leave to amend. The Court DENIES plaintiff's requests to proceed in forma pauperis. (Docket No. 2).

6 As the Court is dismissing plaintiff's complaints without leave to amend, his case will be closed,
7 and **he should not file anything further with the Court.** The materials plaintiff recently sent to the
8 Court will be returned to him at his current address of record, as many of the materials appear to be
9 originals.

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11 **IT IS SO ORDERED.**

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13 Dated: November 17, 2006



SUSAN ILLSTON
United States District Judge

United States District Court

For the Northern District of California